

UNITED STATES DISTRICT COURT

for the
District of South DakotaIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Case No. 5:19-MJ-157

The property located at 322 Curtis Avenue, Rapid
City, SD, resided in by Delores Little Hawk.

SEALED

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search
of the following person or property located in the _____ District of _____ South Dakota
(identify the person or describe the property to be searched and give its location):

The property located at 322 Curtis Avenue, Rapid City, SD, resided in by Delores Little Hawk.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property
described above, and that such search will reveal (identify the person or describe the property to be seized):Evidence of a crime of Second Degree Murder, in violation of 18 U.S.C. §§ 1153 and 1111, as outline in the affidavit in
support of the search warrant, which is incorporated herein by this reference.I find that the affidavit, or any recorded testimony, establishes probable cause to search and seize the person or
property.YOU ARE COMMANDED to execute this warrant on or before January 3, 2020 (not to exceed 14 days)
☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.*No-Knock Warrant is authorized dlu*Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the
person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the
property was taken.The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory
as required by law and promptly return this warrant and inventory to Daneta Wollmann
(United States Magistrate Judge)☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C.
§ 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose
property, will be searched or seized (check the appropriate box)☐ for _____ days (not to exceed 30) ☐ until, the facts justifying, the later specific date of _____Date and time issued: 12/20/2019 3:30 pm
0:00 am*Daneta Wollmann*
Judge's signatureCity and state: Rapid City, SD

Daneta Wollmann, U.S. Magistrate Judge

Printed name and title
cc: AUSA Richa Agent
cl

[illegible]

UNITED STATES DISTRICT COURT

for the
District of South DakotaIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)The property located at 322 Curtis Avenue, Rapid
City, SD, resided in by Delores Little Hawk.

Case No. 5:19-mj-157

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the _____ District of _____ South Dakota, there is now concealed (identify the person or describe the property to be seized):

See Attachment A

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

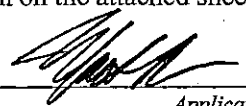
- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. §§ 1111 and 1153	Second Degree Murder


The application is based on these facts:

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


 Applicant's signature
FBI SA Matt Weber
Printed name and title

Sworn to before me and signed in my presence.

Date: 12/20/2019


 Judge's signature

City and state: Rapid City, SD

Daneta Wollmann, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

IN THE MATTER OF THE SEARCH
OF:
The property located at 322 Curtis
Avenue, Rapid City, SD, resided in by
Delores Little Hawk.

FILED UNDER SEAL
CASE NUMBER:
5:19-MJ-157

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT

I, Matt Weber, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), and I am assigned to the Rapid City Resident Agency, Rapid City, South Dakota. I have approximately nine years of law enforcement experience with the FBI as a Special Agent. During that time, I have investigated federal crimes occurring within Indian country, including violations of 18 U.S.C. §§ 1111 and 1153, Second Degree Murder.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. This affidavit contains information necessary to support probable cause for this application and does not contain every material fact that I have learned during the course of this investigation; however, no

information known to me that would tend to negate probable cause has been withheld from this affidavit.

ITEMS TO BE SEARCHED

4. This affidavit is submitted in support of an application for a search warrant for the property located at 322 Curtis Avenue, Rapid City, SD, resided by Delores Little Hawk. A picture of the house is specifically described in Attachment B. The purpose of this warrant is to search the residence for a person to be arrested for violations of 18 U.S.C. §§ 1111 1153, Second Degree Murder.

PROBABLE CAUSE

5. On December 17, 2019, at approximately 3:05AM, an unidentified female called the Oglala Sioux Tribe Department of Public Safety Dispatch (OST DPS) to report a shooting incident in North Ridge Housing, Pine Ridge, SD. The female caller hung up before an exact location could be gathered. At approximately 3:39AM, your affiant learned from a review of OST DPS Dispatch records that a female, Casandra Goings, called to report Sloane Bull Bear was shot at Bill Reddy's residence.

6. OST DPS law enforcement officers arrived on scene and found the victim, Sloane Bull Bear, 7-22-89, deceased on the southwest exterior of the residence. On December 18, 2019, your affiant attended the autopsy of Bull Bear. Forensic Pathologist Dr. Donald Habbe conducted the autopsy. The cause of death was from a gunshot wound to the back of his head. Your affiant learned

from Dr. Habbe that the wound contained stippling, meaning that the shooter was in close range to the back of Bull Bear's head.

7. Your affiant learned from Goings that Bull Bear contacted her via Facebook Messenger sometime prior to the evening of December 16, 2019. After Bull Bear contacted Goings, the pair traveled to Pine Ridge and went to Billy Reddy's residence on the evening of December 16 and morning of December 17, 2019. Your affiant later learned from SA Thayer that Casandra Goings told him that they were drinking at the residence.

6. Your affiant learned from SA Thayer, that a person of interest was identified as Colton Bagola. Your affiant learned that a witness, Casandra Goings, was later interviewed by SA Thayer. Your affiant also interviewed Goings on December 18, 2019.

7. Your affiant learned from Goings that she and Sloane Bull Bear arrived at Number 14 North Ridge Housing shortly after midnight on December 17, 2019. Bull Bear and Goings sat at the kitchen table next to Billy Reddy and Ben Freeman. According to Goings, within 5-10 minutes after sitting at the kitchen table, Colton Bagola and an unknown male walked into the residence. Goings described the unknown male as a "cowboy."

8. Your affiant is aware that Goings told SA Thayer that her chair broke, causing her to move to the center of the room. Goings said that Bagola kept staring at her while the group was in the kitchen. Goings said that the group was talking about "haircuts," and that then Bull Bear asked Goings if she

was ready to leave. Your affiant learned from Goings that she and Bull Bear got up to exit the residence through the southwest door. Goings told your affiant that she heard a pop as she was leaving the residence, and that the next thing she saw was Bull Bear on the ground, "snoring." Goings told your affiant that she left the residence and eventually went to Tashina Jones' residence. Your affiant is aware that Goings told SA Thayer that she saw Ben Freeman and Colton Bagola running down the street away from Billy Reddy's residence. At Tashina Jones' residence, Goings spoke with Billy Reddy and Thelma Ponds. Goings said that Billy told her that Colton told Billy Reddy that he (Bagola) was "wanting to kill somebody." Goings also told your affiant that Colton told Billy that he had a ".38" (caliber handgun). Your affiant is also aware that Goings told SA Thayer she did not know if Bull Bear had a gun, but he mentioned stating they should "let some off," a term your affiant believes is a reference to shooting.

9. Your affiant is aware, according to Goings, that she called 911 at approximately 1:28AM and that the call failed. Goings also told your affiant that she called back later and stayed until police arrived. Your affiant is aware that OST DPS records show Goings calling at 3:39 AM, approximately 2 hours after she first attempted to call 911. Your affiant asked Goings why she waited 2 hours from the time the shooting took place until she called 911 again. Goings told your affiant that Ponds and Freeman were scrambling around looking for their things. Your affiant asked Goings if they were gathering their "dope?" to

which Goings responded that she did not see the dope, but believed that was possible.

10. Your affiant observed Bull Bear's body on the southwest side of the residence. Your affiant observed a shotgun underneath the kitchen table. Your affiant also saw a broken chair near the door, next to Bull Bear's legs. (Bull Bear's head and chest were outside the residence, while a majority of his lower body was inside the residence. Bull Bear had one shoe on and one shoe off.). Your affiant observed what appeared to be a blood trail in the kitchen - leading towards the living room of the residence.

11. On December 18, 2019, your affiant learned that OST DPS Officer Derek Puckett received information pertaining to Bagola's whereabouts from an individual related to Bagola's grandmother (Delores Little Hawk). Your affiant learned that Officer Puckett was advised by a relative, Antonia a/k/a Simone Little Hawk, that Delores Little Hawk called her and said that Bagola was sleeping on her couch at her residence, 322 Curtis Avenue, Rapid City, SD.

12. Your affiant learned that on December 18, 2019, SA Myers learned from a family member of Bagola's that Bagola had left with his girlfriend to get something to eat and had not returned to 322 Curtis Avenue. Your affiant learned from SA Myers that Little Hawk was uncertain as to who Bagola's girlfriend was as she would not provide a name. Additionally, Little Hawk told SA Myers that Bagola's girlfriend claimed to have been with Bagola on the

night/morning, when according to Little Hawk, "whatever down there happened."

13. On December 20, 2019, your affiant learned that Billy Reddy had been arrested by the OST DPS and was in custody at the Justice Center in Pine Ridge. Your affiant interviewed Reddy that same day. Reddy stated that Bagola shot Bull Bear at Number 14 North Ridge Housing. Reddy told your affiant that Bagola had arrived at Number 14 prior to Bull Bear arriving and that Bagola pulled out a silver revolver and placed it on the table. According to Reddy, Bagola was acting weird and stated he "needed to take a soul." Reddy stated that Bagola said that it was going to be either Scud Martin, Ben Freeman, Billy or himself (Bagola). Bagola then left and returned after Bull Bear and Goings arrived at Number 14. According to Reddy, Bagola and a "cowboy" type guy showed up. Your affiant learned that Bull Bear got up to leave and that Bagola "whipped" out a gun and shot Bull Bear. Reddy believed the bullet missed Bull Bear, but that when Bull Bear slumped over and started bleeding, that he then believed Bull Bear had been shot. Your affiant learned that Goings drove Bull Bear's white car to Oglala, SD, where they attempted to make a 911 call to police. The call would not go through, so they turned around and went to Tashina Jones' residence in Pine Ridge. Your affiant learned that Reddy told him that Goings then left and called 911. Your affiant learned that Reddy said that Goings drove Bull Bear's vehicle.

14. On December 20, 2019, your affiant interviewed Ben Freeman. Freeman told your affiant that he was at Number 14 during the homicide. Your affiant learned that Freeman had his head down during the time Bull Bear got up to leave, but that he heard the gun go off and saw Bull Bear on the ground following the shooting. Freeman told your affiant that after the shooting he saw Bagola take off running and that Bagola had a gun in his hand. Your affiant learned that Freeman took off to the "old folks" home and waited there until an unknown time when he eventually went to his girlfriend's house. Your affiant learned that Freeman told him that Bagola often pulls out the silver gun and plays with it.

15. Your affiant is aware that SA Myers has been in contact with Simone Little Hawk. According to SA Myers, Simone said that Delores Little Hawk told her at approximately 10:26AM (on December 20, 2019), that Bagola had not returned since he left on December 19, 2019.

16. Your affiant is aware that SA Myers observed a white Pontiac Grand Am pull up to 322 Curtis Avenue at 10:40AM on December 20, 2019. SA Myers observed the vehicle back into the driveway. SA Myers observed the female driver exit the vehicle and enter the home. A short while later the female exited the residence and got into the vehicle. A backseat passenger exited the vehicle. The passenger was identified by SA Myers as a male wearing all black, a hoodie and a hat on over his head. Underneath his hoodie, the male wore black sunglasses. The male entered the house and has not exited since. The female drove away.

from the residence. Based on conversation with SA Myers, your affiant believes that this individual could be Bagola.

17. Your affiant is aware that Bagola is an enrolled member of the Oglala Sioux Tribe and that the location where the homicide occurred is within Indian country.

Your affiant requests a "no knock" search warrant based on the fact that Bagola used a firearm during the commission of the crime and because the firearm has not been located.

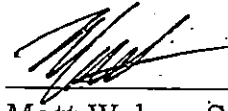
REQUEST FOR SEALING

18. I request that the Court order that all papers submitted in support of this application, including this affidavit, the application, the warrant, and the Order itself, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may give targets an opportunity to flee, destroy or tamper with evidence, change patterns of behavior, notify confederates, or otherwise seriously jeopardize the investigation.

CONCLUSION

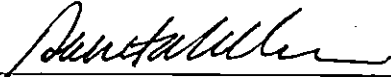
19. Your affiant has probable cause to believe that Bagola is in Delores Little Hawk's residence and is requesting a warrant to search the residence for Bagola and evidence of the crime of second degree murder. Your affiant is aware that if Bagola is at Little Hawk's residence, he could have left the clothing he wore during the homicide at Little Hawk's residence, the firearm used during the homicide, as well as other items taken from Number 14 North Ridge.

Dated: 12/20/19



Matt Weber, Special Agent
Federal Bureau of Investigation

SUBSCRIBED and SWORN to in my presence
this 20th day of December, 2019.



DANETA WÖLLMANN
U.S. MAGISTRATE JUDGE

ATTACHMENT A
PROPERTY TO BE SEARCHED AND ITEMS TO BE SEIZED

The property located at 322 Curtis Avenue, Rapid City, SD, resided in by Delores Little Hawk.

Items to be seized include:

1. Any and all firearms, ammunition, or containers designed to store firearms or ammunition;
2. Electronic devices to include cellular phones; and
3. Any other contraband or illegal items.

Attachment B - 322 Curtis Avenue, Rapid City, SD

